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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/774,577  | 02/09/2004  | Jennifer A. Coggan   | 8650.027 US         | 9765             |
| 30827                      7590                      06/09/2008<br>MCKENNA LONG & ALDRIDGE LLP<br>1900 K STREET, NW<br>WASHINGTON, DC 20006 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| GARRETT, DAWN L   |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 1794  |             |                      |                     |                  |
| MAIL DATE   |             | DELIVERY MODE        |                     |                  |
| 06/09/2008  |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/774,577

**Applicant(s)**

COGGAN ET AL.

**Examiner**

Dawn Garrett

**Art Unit**

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) 10-13 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 is/are rejected.  
7) ☒ Claim(s) 9 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 09 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 4, 2008 has been entered.
2. The claim amendment filed January 22, 2008 has been entered. Claims 1, 8, and 14 have been amended. Claims 1-16 are pending. The species under consideration is Formula (I) wherein R2 and R3 are heteroaromatic rings now limited to a substituted or unsubstituted ring of furyl, thienyl, pyridyl, triazol or quinoliny and R1 and R4 are hydrogen. In Formula (II) this same species is where R5 and R6 are heteroaromatic rings and R1-R4 are hydrogen. (It is noted that Formulas (III) and (IV) have not been included because of their requirements for R7 and R8 substituent groups, which are not present in the selected species). Claims 10-13 are currently withdrawn as non-elected.
3. The rejection of claims 1, 2, 5-8, and 14-16 under 35 U.S.C. 103(a) as being unpatentable over Suzurisato et al. (JP 2002-324676) is withdrawn due to the amendment.
4. The rejection of claims 3 and 4 under 35 U.S.C. 103(a) as being unpatentable over Suzurisato et al. (JP 2002-324676) in view of Hoag et al. (US 6,824,893) is withdrawn due to the amendment.

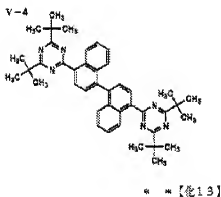
***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-8 are rejected under 35 U.S.C. 102(a) as being anticipated by Matsuura et al. (JP 2003-045662). Matsuura et al. discloses the following compound (see page 12) in an organic electroluminescent element regarding claims 1 and 8:



The compound reads upon instant formula (I) wherein R2 and R3 are substituted triazolyl groups and upon instant formula (II) wherein R5 and R6 are substituted triazolyl groups.

Regarding claim 2, Matsuura et al. discloses the inventive compounds are contained in a light-emitting layer (see abstract). Matsuura et al. further discloses fluorescent dopant material (guest substances) in a luminous layer (see par. 51).

Regarding claim 3, Matsuura et al. discloses a coumarin derivative as a dopant material (see par. 51). It is noted the instant specification discloses coumarin as a suitable dopant at par.

48. Accordingly, coumarin derivative is understood to meet the criteria set forth in instant claim 3.

Regarding claim 4, Matsuura et al. discloses a dopant in a concentration of 1% for a luminous layer (see par. 168).

Regarding claim 5, the devices clearly comprise an anode (positive electrode) and a cathode (negative electrode) (see par. 45).

Regarding claims 6 and 7, the devices may comprise a hole transporting layer, luminous (light emitting) layer, and an electron transporting layer (see par. 45) and the light emitting layer may comprise the inventive bi-naphthyl compound (see abstract).

***Allowable Subject Matter***

7. Allowable subject matter has been previously discussed in the prior office actions based upon previously considered species; please see prior Office actions. No claims are directed solely to those allowable species, so no claims are currently indicated as allowed. With respect to the current species wherein both R2 and R3 in Formula (I) and both R5 and R6 in Formula (II) are furyl, thienyl, pyridyl, triazol or quinolinyl, claim 9 appears to comprise allowable subject matter in terms of the species in that the prior art does not appear to teach a compound in an EL device having furyl, thienyl or pyridyl as set forth in claim 9 as both R5 and R6 in instant Formula II. Accordingly, claim 9 is currently indicated as objected to in terms of the current species under consideration as comprising allowable subject matter; however, not all the species of claim 9 have been considered yet.

***Response to Arguments***

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dawn Garrett/  
Primary Examiner, Art Unit 1794